

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 18-94

INTRODUCED BY: Mayor Stefanik  
Co-Sponsor: Marnecheck, Langshaw

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART EIGHT BUSINESS REGULATION AND TAXATION CODE, BY CREATING A NEW CHAPTER 883 ENTITLED USE OF PUBLIC WAYS FOR SERVICE PROVIDERS, REPEALING ORDINANCE 18-49, AND DECLARING AN EMERGENCY

WHEREAS: Increasing demand is being made on the city's streets and rights of way to accommodate facilities of telecommunications, small cell, Digital Antenna System providers and other service providers; and

WHEREAS: It is in the city's best interest to manage the occupancy and use of the city's streets and rights of way by telecommunications, small cell, Digital Antenna System providers and other providers to the extent permitted by law; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Eight Business Regulation and Taxation Code of the Codified Ordinances of the City of North Royalton is hereby amended by creating a new Chapter 883 Use of Public Ways by Service Providers, a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

Section 2. Part Eight Business Regulation and Taxation Code of the Codified Ordinances of the City of North Royalton is amended as provided for herein and all other provisions of Part Eight shall remain in full force and effect.

Section 3. Ordinance 18-49 is hereby repealed in its entirety.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend Part Eight of the Codified Ordinances of the City of North Royalton in order to manage the occupancy and use of the city's streets and rights of way by service providers and other providers to the extent permitted by law.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: September 4, 2018

DATE APPROVED: September 5, 2018

ATTEST: /s/ Dana A. Schroeder  
ACTING DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading September 4, 2018

YEAS: Antoskiewicz, Nickell, Petrusky,  
Langshaw, Marnecheck, Hannan, Kasaris

NAYS: none